

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, NOVEMBER 19, 2020

CLERK'S OFFICE  
CONTROL CENTER  
2020 NOV 19 P 2:36

2020 NOV 19 P 2:36

APPLICATION OF

ATLAS COMMODITIES II RETAIL ENERGY, LLC  
d/b/a ATLAS RETAIL ENERGY

CASE NO. PUR-2020-00266

Application to become a licensed aggregator  
in the Commonwealth of Virginia

ORDER FOR NOTICE AND COMMENT

On November 4, 2020, Atlas Commodities II Retail Energy, LLC d/b/a Atlas Retail Energy ("Atlas" or "Company"), filed an application with the State Corporation Commission ("Commission") for a license to conduct business as an aggregator of electricity and natural gas services ("Application").<sup>1</sup> Atlas seeks authority to provide electric and natural gas aggregation services throughout Virginia to eligible commercial, industrial, and governmental customers.<sup>2</sup> In its Application, Atlas attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules").<sup>3</sup>

---

<sup>1</sup> On November 9, 2020, the Company filed a confidential version of its Application, and it was deemed complete as of that date.

<sup>2</sup> Pursuant to § 56-577 of the Code of Virginia, retail choice for electricity is only permitted pursuant to the customer classes, load parameters, and renewable energy sources set forth therein, and exists only in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Appalachian Power Company, and the electric cooperatives. Retail choice for natural gas service exists only in the service territories of Washington Gas Light Company and Columbia Gas of Virginia, Inc. Access to large commercial, industrial, and governmental gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s.

<sup>3</sup> 20 VAC 5-312-10 *et seq.*

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Atlas's Application; Atlas should serve this Order upon the appropriate persons; Staff should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2020-00266.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),<sup>4</sup> a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application may be viewed or downloaded from the Commission's website: [scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).
- (4) On or before December 4, 2020, Atlas shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.<sup>5</sup>
- (5) In accordance with the Commission's revised operating procedures during the COVID-19 emergency, all comments, pleadings, and documents shall be submitted

---

<sup>4</sup> 5 VAC 5-20-10 *et seq.*

<sup>5</sup> See *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

electronically to the Clerk of the Commission to the extent authorized by the Commission's Rules of Practice.<sup>6</sup>

(6) On or before December 11, 2020, the Company shall file proof of service as ordered herein with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, or by filing electronically at [scc.virginia.gov/clk/efiling/](http://scc.virginia.gov/clk/efiling/).

(7) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to Benita Fields Land, General Counsel, Iapetus, LLC, 3900 Essex Lane, Suite 775, Houston, Texas 77027 [bfland@iapetusllc.com](mailto:bfland@iapetusllc.com). The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(8) Comments on the Application may be filed on or before December 18, 2020, with the Clerk of the Commission at: [scc.virginia.gov/casecomments/Submit-Public-Comments](http://scc.virginia.gov/casecomments/Submit-Public-Comments) or at the mailing address in Ordering Paragraph (6). A copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the email address set forth in Ordering Paragraph (7). Such comments simultaneously shall be sent electronically to Richard Michaux, Senior Utility Accountant, at [Richard.Michaux@scc.virginia.gov](mailto:Richard.Michaux@scc.virginia.gov). All comments shall refer to Case No. PUR-2020-00266.

---

<sup>6</sup> See *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) (noting that all pleadings should be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150 of the Rules of Practice. Those seeking to hand deliver and physically file or submit a pleading or document to be filed in a case pending before the Commission must contact the Commission's Clerk's Office at (804) 371-9838 to arrange the delivery. Further, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may not be processed for an indefinite period of time due to the COVID-19 emergency.).

(9) The Staff shall analyze Atlas's Application and shall present its findings in a Staff Report to be filed on or before January 8, 2021.

(10) On or before January 15, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission at, [scc.virginia.gov/clk/efiling/](http://scc.virginia.gov/clk/efiling/), any response to the Staff Report. If not filed electronically, an original and fifteen (15) copies of the response shall be filed with the Clerk of the Commission at the address in Ordering Paragraph (6).

(11) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(12) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile or electronic mail as well as by first class mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(13) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to:  
Benita Fields Land, General Counsel, Iapetus, LLC, [bfland@iapetusllc.com](mailto:bfland@iapetusllc.com); C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, [MBrowder@oag.state.va.us](mailto:MBrowder@oag.state.va.us).

Appalachian Power Company  
d/b/a American Electric Power Company  
Mr. William K. Castle  
Director, Regulatory Services, VA/TN  
1051 East Cary Street, Suite 1100  
Richmond, VA 23219  
wkcastle@aep.com

VA Electric & Power Company  
d/b/a Dominion Energy Services, Inc.  
Paul E. Pfeffer, Esquire  
Riverside 2, Legal  
120 Tredegar Street  
Richmond, VA 23219  
paul.e.pfeffer@dominionenergy.com

A&N Electric Cooperative  
Mr. Butch Williamson, Jr.  
President & CEO  
P.O. Box 290  
Tasley, VA 23441-0290  
bwilliamson@anec.com

B-A-R-C Electric Cooperative  
Michael Keyser  
CSO/General Manager  
P.O. Box 264  
Millboro, VA 24460-0264  
mkeyser@barcelectric.coop

Central VA Electric Cooperative  
Mr. Gary E. Wood  
President & CEO  
P.O. Box 247  
Lovingston, VA 22949  
gwood@mycvec.com

Community Electric Cooperative  
Mr. Steven A. Harmon  
President  
P.O. Box 267  
Windsor, VA 23487-0267  
sharmon@comelec.coop

Craig-Botetourt Electric Cooperative  
Jeff M. Ahearn  
General Manager  
P.O. Box 265  
New Castle, VA 24127-0265  
jeff.ahearn@cbec.coop

Kentucky Utilities Company  
d/b/a Old Dominion Power Company  
Allyson K. Sturgeon  
Sr. Counsel, Reg & Trans  
LG&E and KU Energy LLC  
220 W. Main Street  
Louisville, KY 40202  
allyson.sturgeon@lge-ku.com

Mecklenburg Electric Cooperative  
Mr. John C. Lee  
President & CEO  
P.O. Box 2451  
Chase City, VA 23924-2451  
jlee@meckelec.org

Northern Neck Electric Cooperative  
Mr. Bradley Hicks  
President & CEO  
P.O. Box 288  
Warsaw, VA 22572-0288  
bhicks@nnec.coop

Northern VA Electric Cooperative  
Mr. Stanley C. Feuerberg  
President & CEO  
P.O. Box 2710  
Manassas, VA 20108-0875  
sfeuerb@novec.com

Powell Valley Electric Cooperative  
Mr. Randall W. Meyers  
President  
P.O. Box 1528  
New Tazewell, Tennessee 37824  
ssmith@pve.coop

Prince George Electric Cooperative  
Mr. Casey J. Logan, Jr. President & CEO  
P.O. Box 168  
Waverly, VA 23890-0168  
clogan@pgec.coop

Rappahannock Electric Cooperative  
Mr. John D. Hewa  
President & CEO  
P.O. Box 7388  
Fredericksburg, VA 22404-7388  
jhewa@myrec.coop

**Shenandoah Valley Electric Cooperative**  
**Greg S. Rogers**  
**President & CEO**  
**P.O. Box 236**  
**Mt. Crawford, VA22841-0236**  
**grogers@svec.coop**

**Southside Electric Cooperative**  
**Mr. Jeffrey S. Edwards**  
**President & CEO**  
**P.O. Box 7**  
**Crewe, VA23930-0007**  
**Jeff.Edwards@sec.coop**

**Kentucky Utilities Company**  
**d/b/a Old Dominion Power Company**  
**Robert M. Conroy**  
**VP, State Regulation & Rates**  
**LG&E and KU Energy LLC**  
**220 W. Main Street**  
**Louisville, KY 40202**  
**robert.conroy@lge-ku.com**

**Columbia Gas of Virginia, Inc.**  
**Brentley K. Archer, President**  
**1809 Coyote Drive**  
**Chester, VA23836-2400**  
barcher@nisource.com

**Roanoke Gas Company**  
**Paul W. Nester, President**  
**P.O. Box 13007**  
**Roanoke, VA24011**  
paul\_nester@rgcresources.com

**Southwestern VAGas Company**  
**James E. McClain, II, President and CEO**  
**208 Lester Street**  
**Martinsville, VA24112**  
james@swvagas.com

**Atmos Energy Corporation**  
**J. Kevin Dobbs, President**  
**810 Crescent Centre Drive, Suite 600**  
**Franklin, Tennessee 37067-6226**  
Kevin.Dobbs@atmosenergy.com

**Appalachian Natural Gas Distribution**  
**Company**  
**John D. Jessee, Vice President**  
**220 West Valley Street**  
**Abingdon, VA24210**  
JJessee@appnatgas.com

**VA Natural Gas, Inc.**  
**Robert Duvall, President**  
**544 S. Independence Blvd.**  
**VA Beach, VA23452**  
RDuvall@southernco.com

**Washington Gas Light Company**  
**Donald 'Blue' Jenkins, President**  
**1000 Maine Avenue, SW, Suite 700**  
**Washington, D.C. 20024**  
blue.jenkins@washgas.com